The Summer Village of Bondiss
Land Use Bylaw
No. 84-01

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MUNICIPAL AFFAIRS

LAND USE BYLAW

THE SUMMER VILLAGE OF BONDISS

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Bylaw No. 84-01 being the Land Use Bylaw of the Summer Village of Bondiss

Pursuant to the Planning Act, R.S.A. 1980, the Council of the Summer Village of Bondiss duly assembled, hereby enacts as follows

Part One - General

1.1 Purpose

The purpose of this Bylaw is to prohibit or regulate and control the use and development of land and buildings within the municipality to achieve the orderly and economic development of land, and for that purpose, amongst other things,

(1) to divide the municipality into districts;

(2) to prescribe and regulate for each district the purposes for which land and buildings may be used;

(3) to establish the office of one or more development officers;

(4) to establish a method of making decisions on applications for development permits including the issuing of development permits;

(5) to prescribe a procedure to notify owners of land likely to be affected by the issue of a development permit.

1.2 Interpretation

In this Bylaw

(1) "Act" means the Planning Act;

(2) "accessory building" means a building separate and subordinate to the main building, the use of which is incidental to that of the main building and is located on the same parcel of land;

(3) "accessory use" means a use customarily incidental and subordinate to the main use or building and is located on the same parcel of land with such main use or building;

(4) "building" includes any thing constructed or placed on, in, over or under land but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;

(5) "Council" means the Council of the Summer Village of Bondiss;

(6) "development" means

(a) an excavation or stockpile and the creation of either of them, or

(b) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them, or

(c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or

(d) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the intensity of use of the land or buildings;

(7) "development appeal board" means a development appeal board appointed pursuant to the Planning Act, R.S.A. 1980;

(8) "development permit" means a document authorizing a development issued pursuant to a land use bylaw or the land use regulations;

(9) "discretionary use" means the use of land or a building provided for in a land use bylaw for which a development permit may be issued upon an application having been made;

(10) "dwelling" means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level, but does not include mobile homes of any kind whether standing on wheels or supported by blocks, jacks, or any other temporary foundation;

(11) "dwelling unit" means a complete building or self-contained portion of a building, set or suite or rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set of suite of rooms;

(12) "front yard" means a yard extending across the full width of a parcel from the front line of the parcel to the front wall of the main building;

(13) "home occupation" means the secondary use of a residential dwelling unit (and/or its accessory buildings or lands) by any trade, profession, or craft for gainful employment involving the manufacture, processing, provision or sale of goods and/or services;

(14) "lakefront yard" means a yard extending across the full width of a lakefront parcel from the front line closest to the lake to the exterior wall of the main building;

(15) "lot" means
(a) a quarter section, or

(b) a river lot or settlement lot shown on an official plan referred to in section 32 of The Surveys Act that is filed or lodged in a land titles office, or

(c) a part of a parcel where the boundaries of the part are separately described in a certificate of title other than by reference to a legal subdivision, or

(d) in part of a parcel where the boundaries of the part are described in a certificate of title by reference to a plan of subdivision.

(16) "main building" means a building in which is conducted the main or principle use of the site on which it is erected;

(17) "mobile home unit" means a structure whether ordinarily equipped with wheels or not that is manufactured to be moved from one point to another by being towed or carried and which provides accommodation for one or more persons and can be connected to utilities;

(18) "modular unit" means a prefabricated or factory built frame or shell which comprises the wall or siding of a proposed dwelling. More specifically, a modular unit represents only a section of the dwelling and such a unit has neither chassis, running gear, nor its own wheels, but units may be stacked side-by-side or vertically, and completed to form one or more complete dwelling units for year-round occupancy;

(19) "municipality" means The Summer Village of Bondiss;

(20) "non-conforming building" means a building

(a) that is lawfully constructed or lawfully under construction at the date a land use bylaw or any amendment thereof affecting the building or land on which the building is situated becomes effective, and

(b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use bylaw;

(21) "non-conforming use" means a lawful specific use

(a) being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use bylaw or any amendment thereof affecting the land or building becomes effective, and

(b) that on the date the land use bylaw or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use bylaw;

(22) "parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;

(23) "permitted use" means the use of land or a building provided for in a land use bylaw for which a development permit shall be issued upon an application having been made;

(24) "rear yard" means a yard extending across the full width of the parcel from the rear wall of the main building situated on the parcel, to the rear line of the parcel;

(25) "recreational use" means a recreational development conducted on a unified basis on a single site where the prime reason for location in rural areas is to take advantage of natural physical features including the availability of large areas of land to provide day-to-day sporting and athletic facilities and the structures incidental thereto, and includes ski slopes, golf courses, archery, trap and rifle ranges, race tracks, boating, riding, swimming, picnicking, and similar uses, and may include a refreshment stand incidental to the primary use;

(26) "registered owner" means

(a) in the case of land owned by the Crown in right of Alberta or the Crown in right of Canada, the Minister of the Crown having the administration of the land, or

(b) in the case of any other land,

(i) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land and any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or

(ii) in the absence of a person described in paragraph (i), the person registered under The Land Titles Act as the owner of the fee simple estate in the land;

(27) "secondary road" means a road designated as such by Ministerial Order pursuant to the Public Highways Development Act;

(28) "side yard" means a yard extending from the front wall of the main building situated on a parcel, to the rear wall of the main building, and lying between the side line of the parcel and the side wall of the main building;

(29) "yard" means a part of a parcel upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act.

1.3 Establishment of Districts

(1) For the purpose of this Bylaw The Summer Village of Bondiss is divided into the following districts:

R	Residential District
P	Public Recreational District
UR	Urban Reserve District
C	Commercial - Recreational District

(2) The boundaries of the districts listed in subsection (1) are as delineated on the Land Use District Map being Schedule B hereto.

(3) Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Map, the following rules shall apply:

Rule 1. Where a boundary is shown as following a street, lane, stream or canal, it shall be deemed to follow the centre line thereof.

Rule 2. Where a boundary is shown as approximately following a lot line, it shall be deemed to follow the lot line.

Rule 3. In circumstances not covered by Rules 1 and 2 the location of the district boundary shall be determined:

(a) where dimensions are set out on the Land Use District Map, by the dimensions so set, or

(b) where dimensions are set out on the Land Use District with respect to such boundary, by measurement of and use of the scale shown on the Land Use District Map.

(4) Where the application of the above rules does not determine the exact location of the boundary of a district, the Council either on its motion or upon written application being made to it by any person requesting the determination of the exact location of the boundary shall fix the portion of the district boundary in doubt or dispute in a manner consistent with the provisions of this Bylaw and the degree of detail as to measurements and directions as the circumstances may require.

(5) After the Council has fixed a district boundary pursuant to the provisions of subsections (4), the portion of the boundary so fixed shall not be thereafter altered except by an amendment of this Bylaw.

(6) The Council shall maintain a list of its decisions with respect to boundaries or portions thereof fixed by it.

1.4 Establishment of Land Use District Regulations

Land Use District Regulations shall be as set forth in the Schedule of Land Use District Regulations, being Schedule A hereto, hereby adopted by reference to be part of this Bylaw, and may be amended in the same manner as any other part of this Bylaw.

Part Two - Agencies

2.1 Development Officer

(1) The office of the Development Officer is hereby established and such office shall be filled by a person or persons to be appointed by resolution of Council.

(2) The Development Officer shall perform such duties that are specified in PART THREE of this Bylaw.

(3) The Development Officer shall keep and maintain for the inspection of the public during all reasonable hours, a copy of this Bylaw and all amendments thereto; keep a register of all applications for development, including the decisions thereon and the reasons therefor.

(4) For the purposes of Section 43 of The Act, the Development Officer is hereby declared to be an authorized person of the Council.

2.2 Development Appeal Board

The Development Appeal Board, being Council, shall perform such duties as specified in Part 4 of this Bylaw.

Part Three - Development Permits, Rules & Procedures

3.1 Control of Development

(1) No development other than that designated in Section 3.2 shall be undertaken within the municipality unless an application for it has been approved and a development permit has been issued.

3.2 Development Not Requiring a Development Permit

The following development shall not require a development permit:

(1) The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation.

(2) The completion of a building which was lawfully under construction at the date of the first publication of the official notice required by Section 139(3)(d) of the Act, provided that the building is completed in accordance with the terms of any permit granted in respect of it and subject to the conditions to which such permit was granted and provided also that the building, whether or not a permit was granted in respect of it, is completed within a period of twelve months from the said date of the first publication of the official notice.

(3) The use of any such building as is referred to in subsection (2) for the purpose for which construction was commenced.

(4) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than three feet in height in front yards and less than six feet in side and rear yards, and the maintenance, improvement and other alterations of any gates, fences, or walls or other means of enclosure.

(5) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building, for which a permit has been issued under this bylaw.

(6) The maintenance and repair of public works, services and utilities carried out by or on behalf of federal, provincial and municipal public authorities on land which is publicly owned or controlled.

3.3 Permission for Development

(1) An application for a development permit shall be made to the Development Officer in writing in the form of Form A hereto and shall be accompanied by:

(a) A site plan in duplicate showing the legal description and the front, rear, and side yards, if any, and any provision for off-street loading and vehicle parking and access and egress points to the site;

(b) floor plans and elevations and sections in duplicate;

(c) a statement of uses;

(d) a statement of ownership of land and interest of the applicant therein;

(e) the estimated commencement and completion dates;

(f) the estimated cost of the project or contract price.

(2) Each application for a development permit shall be accompanied by a fee of $10.00.

(3) The Development Officer shall receive, consider and decide on all applications for a development permit.

(4) In making a decision the Development Officer may approve the application unconditionally, or impose conditions considered appropriate, permanently or for a limited period of time or refuse the application.

(5) Council may require with respect to a development that as a condition of issuing a development permit, the applicant enter into an agreement to construct or pay for the construction of public roadways or parking areas, to install or pay for installation of utilities, or to pay off-site levy or redevelopment levy imposed by bylaw.

(6) In the case where an application for a development permit has been refused pursuant to this PART or ultimately after appeal pursuant to PART FOUR of this bylaw, the submission of another application for a permit on the same or any other applicant may not be accepted by the Development Officer for at least 6 months after the date of the previous refusal.

(7) In the case where a proposed specific use of land or a building is not provided for in any district in the Bylaw, the Development Officer may determine that such use is similar in character and purpose to a permitted or discretionary use prescribed for that district in Schedule A.

(8) The Development Officer may approve an application for a development permit notwithstanding that the proposed development does not comply with this Bylaw if, in the opinion of the Development Officer,

(a) the proposed development would not

(i) unduly interfere with the amenities of the neighbourhood, or

(ii) materially interfere with or affect the use, enjoyment or value of neighbouring properties, and

(b) the proposed development does not conflict with the use prescribed for the land or building in the bylaw.

(9) An application for a development permit shall, at the option of the applicant, be deemed to be refused when a decision thereon is not made by the Development Officer within 40 days after receipt of the application by the Development Officer and the person claiming to be affected may appeal in writing as provided for in PART FOUR of this Bylaw as though he had received a refusal at the end of the period specified in this subsection.

3.4 Development Permits and Notices

(1) A permit granted pursuant to this PART does not come into effect until 15 days after the date an order, decision or development permit is publicized, as described in subsection (3) of this Bylaw, and any development proceeded with by the applicant prior to the expiry of this period is done solely at the risk of the applicant.

(2) Where an appeal is made pursuant to PART FOUR of this Bylaw, a development permit which has been granted shall not come into effect until the appeal has been determined and the permit may be modified or nullified thereby.

(3) When a permit has been granted an application for a discretionary use or pursuant to subsections (7) and (8) of Section 3.3 the Development Officer shall

(a) immediately post a notice of the decision conspicuously on the property for which the application has been made; and/or

(b) request the applicant to post a notice of decision conspicuously on the property for which the application has been made; and/or

(c) a notice in writing shall be immediately mailed to all registered owners of land who in the opinion of the Development Officer may be affected; and/or

(d) a notice shall be immediately published in a newspaper circulating in the municipality stating the location of the property for which the application has been made and the use approved.

(4) If the development authorized by a permit is not commenced within 12 months from the date of its issue, or carried out with reasonable diligence, the permit is deemed to be void, unless an extension to this period has previously been granted by the Development Officer.

(5) A decision of the Development Officer on all application for a development permit shall be given in writing and a copy of it sent to the applicant.

(6) When the Development Officer refuses an application for a development permit, the decision shall contain reasons for the refusal.

Part Four - Appeals

4.1 Appeal Procedure

(1) An appeal may be made to the Development Appeal Board where a Development Officer

(a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;

(b) issues a development permit subject to conditions;

(c) issues an order under Section 5.2 (2) of this Bylaw.

(2) The person applying for the permit or affected by the order, under subsection (1), or any other person affected by an order, decision or development permit of a Development Officer may appeal to the Development Appeal Board.

(3) An appeal shall be made by serving a written notice of appeal to the Secretary of the Development Appeal Board within 14 days after the date the order, decision or permit issued by the Development Officer was either:

(a) first published in a newspaper circulating in the area, or

(b) posted on the site of the property the subject of the application, or

(c) received by the appellant

whichever of these shall occur first,

4.2 Public Hearing

(1) Within 30 days of receipt of a notice of appeal, the Board shall hold a public hearing respecting the appeal.

(2) The Development Appeal Board shall give at least 5 days notice in writing of the public hearing to

(a) the appellant,

(b) the Development Officer from whose order, decision or development permit the appeal is made,

(c) those registered owners of land in the municipality who were notified under Section 4.1(3)(b) and any other person who in the opinion of the Development Appeal Board, are affected by the order, decision or permit, and

(d) such other persons as the Development Appeal Board specifies.

(3) The Development Appeal Board shall make available for public inspection before the commencement of the public hearing all relevant documents and materials respecting the appeal including

(a) the application for the development permit, its refusal and the appeal therefrom, or

(b) the order of the Development Officer under Section 5.2 as the case may be.

(4) At the public hearing referred to in subsection (1), the Board shall hear

(a) the appellant or any person acting on his behalf,

(b) the Development Officer from whose order, decision or development permit the appeal is made, or if a person is designated to act on behalf of the Development Officer, that person.

(c) any other person who was served with notice of the hearing and who wishes to be heard or a person acting on his behalf, and

(d) any other person who claims to be affected by the order, decision or permit and that the Development Appeal Board agrees to hear or a person acting on his behalf.

4.3 Decision

(1) The Development Appeal Board shall give its decision in writing together with reasons for the decision within 15 days of the conclusion of the hearing.

(2) A decision made under this part of the Bylaw is final and binding on all parties and all persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 152 of the Planning Act. An application for leave to appeal to the Appellate Division of the Supreme court of Alberta shall be made

(a) to a judge of the Appellate Division, and

(b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

Part Five - Enforcement & Administration

5.1 Non-Conforming Buildings and Uses

(1) A non-conforming use of land or a non-conforming use of a building may be continued but if that use is discontinued for a period of six consecutive months or more, any future use of the land or building shall conform with the provisions of the land use bylaw then in effect.

(2) A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations shall be made thereto or therein.

(3) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.

(4) A non-conforming building may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except

(a) as may be necessary to make it a conforming building, or

(b) as the development officer considers necessary for the routine maintenance of the building.

(5) If a non-conforming building is damaged or destroyed to the extend of more than 75 per cent of the value of the building above its foundation, the building shall not be repaired or rebuilt except in accordance with the land use bylaw.

(6) The use of land or the use of a building is not affected by reason only of a change of ownership, tenancy or occupancy of the land or building.

5.2 Contravention

(1) Where the Development Officer finds that a development or use of land or buildings is not in accordance with

(a) the Planning Act or the regulations, or

(b) a development permit or subdivision approval, or

(c) the land use bylaw,

the Development Officer may, by notice of writing, in the form of Form H, order the registered owner, the person in possession of the land or buildings or the person responsible for the contravention or all of them to

(i) stop the development or use of the land or buildings in whole or in part as directed by the notice, or

(ii) demolish, remove or replace the development, or

(iii) take such other measures as are specified in the notice so that the development or use of the land or buildings is in accordance with the Planning Act, the regulations, a development permit, subdivision approval or this bylaw as the case may be.

(2) Where a person fails or refuses to comply with an order directed to him under subsection (1) or any order of the Development Appeal Board under Section 83 of the Planning Act within the time specified, the Council or a person appointed by it may, in accordance with Section 43 of the Planning Act, enter upon the land or building and take such action as is necessary to carry out the order.

(3) Where the council or a person appointed by it carries out an order, the council shall cause the costs and expenses incurred in carrying out the order to be placed on the tax roll as an additional tax against the property concerned and that amount shall be collected in the same manner as taxes on land.

5.3 Application to Amend Bylaw

(1) A person may apply to have this Bylaw amended, by applying in writing, in the form of Form G, furnishing reasons in support of the application and paying the fee therefore required under Section 5.4.

(2) Council may at any time initiate an amendment to this Bylaw by directing the Development Officer to initiate an application therefore.

5.4 Form of Application

(1) All applications for amendment to the Land Use Bylaw shall be made to the Council in the form of Form G hereto and shall be accompanied by the following, namely:

(a) an application fee of $100.00 for each application, but if the proposed amendment is adopted by Council, Council may determine that the whole or part of the application fee be returned to the applicant;

(b) A certificate of search of the land affected or other documents satisfactory to the Development Officer including the applicant's interest in the said land;

(c) All drawings required to be submitted shall be drawn on standard drafting material to the satisfaction of the Development Officer and shall be fully dimensioned, accurately figured, explicit and complete.

5.5 Amending Bylaws

(1) All amendments to this Bylaw shall be made by Council by bylaw and in conformance with Sections 139 to 143 inclusive of the Planning Act.

5.6 Schedules

(1) Schedules A and B are deemed to be part of this Bylaw.

5.7 Repeal of Existing Controls

(1) The County of Athabasca Land Use Bylaw 25-1980 as amended is hereby repealed.

5.8 Date of Commencement

(1) This Bylaw comes into effect upon the date of it finally being passed.

READ A FIRST TIME THE 21st day of March, 1984.

AND ADVERTISED THE 10th day of May, 1984, and the 17th day of May, 1984 IN THE Athabasca NEWSPAPER.

PUBLIC HEARING HELD THE 26th day of May, 1984.

READ A SECOND TIME THE 20th day of June, 1984.

READ A THIRD TIME AND FINALLY PASSED THIS 20th day of June, 1984.

MAYOR

MUNICIPAL SECRETARY

Part Six - General Provisions

6.1 Subdivision of Land

(1) Where the development of land involves a subdivision of land, no development permit shall be issued until the application has been submitted to the Director of Planning and written evidence received by the Development Officer that the necessary subdivision has the approval of the Director of Planning.

(2) The number of dwelling units permitted on any parcel of land shall not exceed one except when the second dwelling unit is proposed to be constructed or located on a lot of 80 acres or more.

(3) The above section (2) shall not apply when the second or any additional dwelling unit:

(a) is to be occupied by a person who is employed full time for at least 6 months each year in an agricultural pursuit, or
(b) is contained in a building designed for or divided into two or more dwelling units, or
(c) is a mobile unit as defined in the Municipal Government Act forming part of a park for mobile units.

(4) The re-subdivision of an existing residential lot shall not be permitted.

6.2 Site Conditions

(1) The Development Officer may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials, and other similar uses.

(2) The Development Officer in considering an application may impose conditions requiring the retention of trees, or additional planting of such a type and extent that is considered necessary on any permission for development.

(3) A permit is required before the commencement or continuation of the removal of top soil and such permits shall only be granted where it is shown to the satisfaction of the Development Officer that the land will not be adversely affected by removal. The Development may refer any application for removal of top soil to the Soil Conservation Officer acting under the Soil Conservation Act, 1980, for approval.

(4) A tree vegetation buffer at least 30 meters wide shall be maintained except where this would prohibit dwelling construction.

(5) Vegetation clearing for reasons of lake access shall be subject to a development permit.

6.3 Existing Substandard Lots

(1) Development on existing substandard lots may be considered by the Development Officer. Compliance with the Plumbing and Drainage Regulations, Provincial Board of Health Regulations and the Building Permit Bylaw will be required.

6.4 Sanitary Facilities

(1) All buildings erected, placed or moved into districts established by this bylaw, to be used for a dwelling unit, commercial or industrial purpose shall be provided with sanitary facilities to the satisfaction of the Local Health Authority and the Provincial Plumbing Inspector.

6.5 Protection from Exposed Hazards

(1) The location of an anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 2000 gallons shall be in accordance with the requirement of the Development Officer but in no case be less than a minimum distance of 400 feet from assembly, institutional, mercantile or residential buildings.

(2) AA or LPG containers with a water capacity of less than 2000 gallons shall be located in accordance with regulations under the Gas Protection Act.

(3) Flammable liquids storage tanks at bulk plants or service stations shall be located in accordance with regulations under the Fire Prevention Act.

6.6 Objects Prohibited or Restricted in Yards

(1) No person shall keep or permit in any residential area:

(a) Any dismantled or wrecked vehicle for more than 14 successive days.

(b) Any object or chattel which, in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the district.

(c) Any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken; the owner of such materials or excavations assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work.

(2) No fur bearing animals, fowl or livestock other than domestic pets shall be permitted on parcels lying within the district nor upon parcels except as described within the Regulations of the District.

(3) The matters of pollution and adverse effects on other properties by holdings created shall be such that no use be allowed which may be offensive to a neighbouring owner or municipality. The word "offensive" here implies sight, smell and/or anything which may adversely affect a neighbouring owner or municipality.

6.7 Accessory Buildings

(1) An accessory building shall not be used as a dwelling.

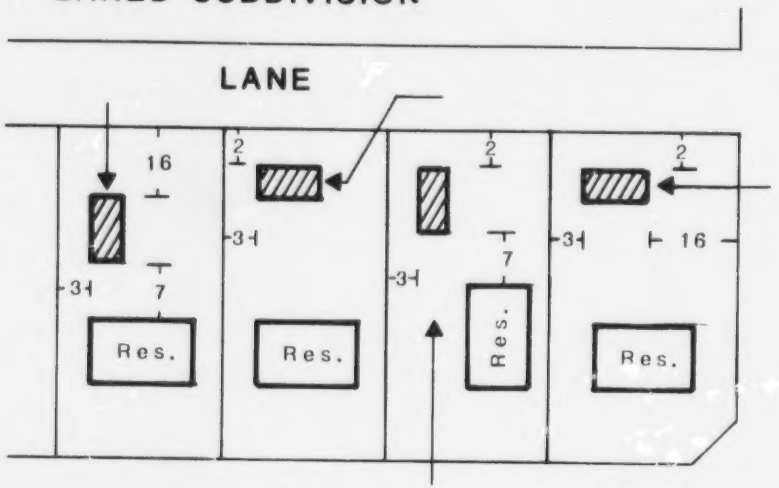
(2) The siting of an accessory building on an irregular shaped parcel shall be as approved by the Development Officer.

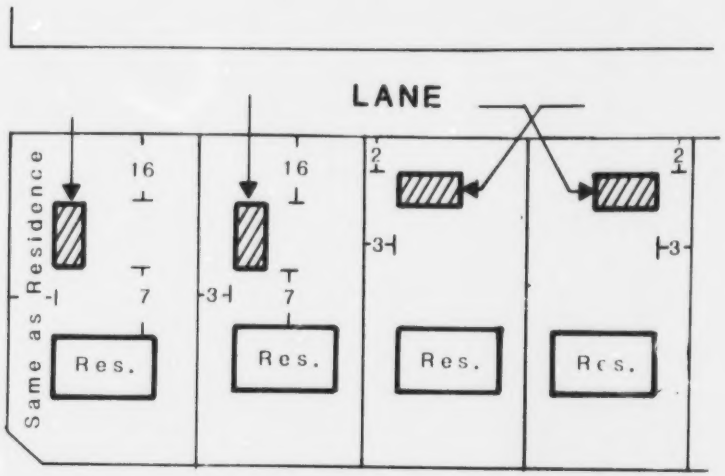
(3) An accessory building shall not be located closer than seven feet to a main building.

(4) The height of an accessory building shall not exceed 15 feet.

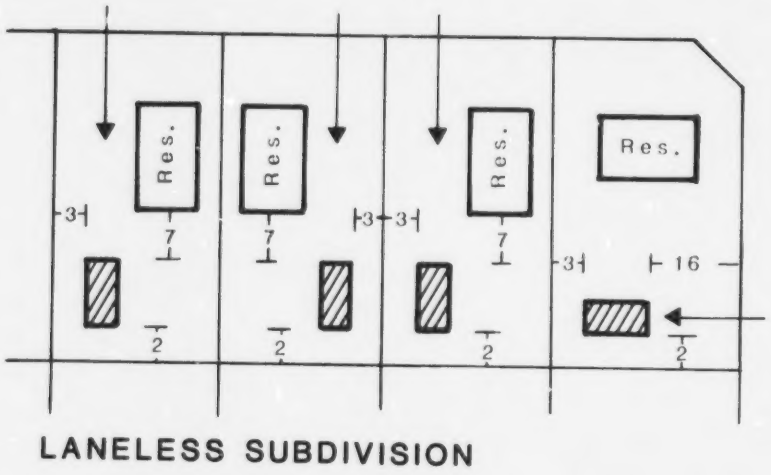
(5) Where a structure is attached to the principle building on a site by a roof, an open or enclosed structure, a floor or a foundation, it is to be considered a part of the principle building and is not an accessory building.

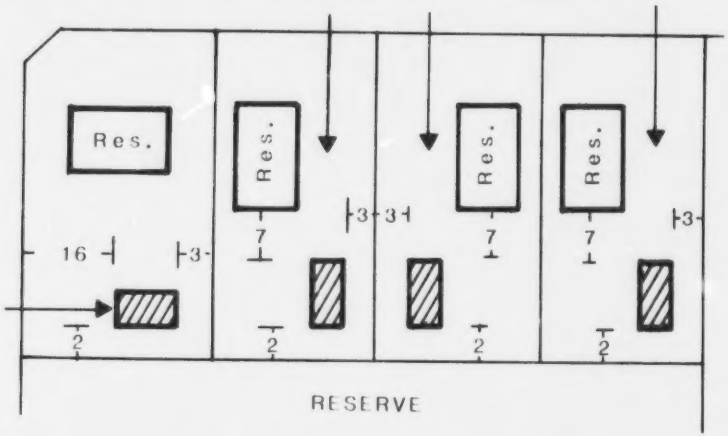
LANED SUBDIVISION





LANELESS SUBDIVISION





SITING OF ACCESSORY BUILDINGS

Figures indicate distance in feet.

Part Seven - Special Provisions

7.1 Mobile Homes

(1) Mobile homes shall have Canadian Standard Association Certification.

(2) All accessory structures, such as patios, porches, additions and skirtings, shall be

(a) factory-prefabricated units to the equivalent thereof, and so designed and erected as to harmonize with the mobile homes,

(b) considered as part of the main building, and

(c) erected only after obtaining a Development Permit.

(3) A mobile home unit shall be skirted from the floor level to the ground level and harmonize with the existing external finish of the mobile home.

(4) The floor area of porches and additions shall be proportionate to the floor area of the mobile home unit and this relationship shall be determined by the Development Officer.

(5) For the purposes of storage, any furniture, domestic equipment or seasonally used equipment shall be stored in adequate covered storage or screening either individually on the lot or communally which shall conform to the local building, Fire, Electrical and Plumbing standards.

(6) The following regulations also apply to mobile home uses located in residential subdivisions and mobile home subdivisions:

(a) The hitch and wheels are to be removed from the mobile home.

(b) All mobile homes shall be placed on a foundation or base. The mobile home is to be attached by means of bolting or otherwise to the foundation or base.

(c) The property is to be grassed and landscaped within one year from the date of issue of the development permit.

(d) Minimum lot area and width may be less in the case of existing registered substandard lots, with the approval of the Development Officer.

7.2 Relocated Buildings

(1) A development permit shall be required to relocate a main building or accessory building into the Summer Village of Bondiss.

(2) The development officer may inspect the building and report to Council the structural condition and suitability for its proposed use prior to the issuance of a development permit.

7.3 Home Occupations

(1) A Home Occupation may be permitted providing that the following conditions are met to the satisfaction of the DO:

(a) The use, location and operation of a home occupation should not change or disrupt the character of an area.

(b) The use shall not involve the display or storage of goods or equipment appearent under normal scrutiny.

(c) No persons other than the occupants immediate family and one employee shall be engaged in such occupations on the premises.

(d) The use shall not generate substantially more vehicular and/or pedestrian traffic than normal within the district.

(e) No offensive noise, odour, vibration, electrical interference, smoke, dust, heat or glare shall be produced by the use.

(f) No use causing a substantial fire rating change in the structure or the district shall be permitted.

(g) All permits for home occupations may be subject to the condition that the permit be renewed annually, and may be revoked at any time if, in the opinion of the Development Officer/Council, the use is or has become detrimental to the residential character and amenities of the neighborhood.

Schedule A

Residential District - R

The purpose of this district is to permit development of single family dwellings and associated uses at the discretion of the development officer.

1. Permitted Uses

   (a) One Family dwellings
   (b) Mobile homes (See Special Provisions 7.1)
   (c) Modular units
   (d) Accessory buildings and uses (See General Provisions 6.7)

2. Discretionary Uses

   (a) Small parks and playgrounds which serve specific residential developments
   (b) A public or quasi-public building or a public utility which is required to serve in the immediate area
   (c) Home Occupation (See Special Provision 7.3)

3. Regulations

   (a) Relating to One Family Dwellings, Mobile Homes and Modular Units: In a proposed subdivision which is not served or is not intended to be served by a sewage collection system or by a water distribution system each site must have:

   (i) an area of at least 20,000 square feet
   (ii) a lot width of at least 100 feet
   (iii) Front yard setback - 25 ft. minimum
   (iv) Rear yard setback - 25 ft. minimum
   (v) Side yard setback - 10% of the lot width, or at the discretion of the DO, a minimum of 5 ft. on all lots over 50 ft.; and not less than 10% of the lot width on all lots 50 ft. or less. Corner Lot - 15 ft. for side yard abutting flanking street.
   (vi) Minimum floor area - 500 sq. ft. for 1 storey
   - 750 sq. ft. for 1 1/2 storey
   - 1,000 sq. ft. for 2 storey

   (b) Maximum Lot Coverage

   Dwellings 23%
   Accessory 12%
   Others as required by the DO.

Notes:

1. With the approval of the Development Officer the minimum site area may be less in the case of existing substandard lots.

2. If fireplaces or balconies are included, yard requirements shall be measured from the leading edge of the fireplace or balcony.

3. All development permits for home occupations be revocable at any time by the Development Officer if in his opinion, the use is or has become detrimental to the amenities of the neighbourhood.

Public Recreational District - P

The purpose of this district is to permit the use of land for service, mainly of a public nature which have a primary orientation toward the community. Land designated "P" must be owned by the municipality or other government, or will so be owned within six months of being so designated.

1. Permitted Uses

   (a) Parks, playgrounds, recreation areas, and other similar public or quasi-public buildings and uses.

2. Discretionary Uses

   (a) Federal, provincial and municipal buildings and uses
   (b) Public utility installations and uses

3. Regulations

   (a) All site requirements shall be at the discretion of the Development Officer.

Urban Reserve District - UR

The purpose of this district is to reserve those lands which by their relationship to existing uses, to the main road, and utility services, will, in the future, become suitable for general urban uses.

1. Discretionary Uses

   (a) One Family Dwellings
   (b) Mobile home (See Special Provisions 7.1)
   (c) Modular unit
   (d) Home Occupation (See Special Provision 7.3)
   (e) Accessory buildings and uses (See General Provisions 6.7)

2. Regulations (See Residential District)

   Note:

   1. No subdivision or development other than for the above uses shall take place until an overall plan for the area has been resolved.

Commercial - Recreational District - C

The purpose of this district is to permit the use of land for commercial-recreational activities.

1. Discretionary Uses

   (a) Trailer park
   (b) Golf Course
   (c) Accessory buildings and uses (See General Provisions 6.7)

2. Regulation

   (a) All site requirements shall be at the discretion of the Development Officer.

The Summer Village of Bondiss

- Residential District
- Commercial Recreational District
- Public Recreational District
- Urban Reserve District

SKELETON LAKE

SPRUCE DRIVE

SPRUCE AVENUE

PARK ENTRY

GROUNDS

ROAD

Railway

6

Forms

Application No. ..... FORM A

APPLICATION FOR DEVELOPMENT

I hereby make application under the provisions of the Land Use Bylaw for a Development Permit in accordance with the plans and supporting information submitted herewith and which form part of this application.

Applicant: ..... Telephone: .....

Address: .....

Address of property to be developed: .....

Lot: ..... Block: ..... Registered Plan or: .....

Certificate of Title: .....

Registered Owner ..... Address: .....

Existing Use: ..... Land Use District .....

Principal Use: .....

.....

Lot Type: Interior ..... Corner ..... Through .....

Lot Width ..... Lot Length ..... Lot Area .....

Front Yard ..... Side Yards ..... Rear Yard .....

Floor Area ..... Percentage of lot occupied .....

Off-Street Parking: Size of space ..... Number of spaces .....

Off-Street Loading: Size of space ..... Number of spaces .....

Accessory Use: .....

Percentage of lot occupied ..... Height of accessory building .....

Set back from side lot line ..... Set back from rear lot line .....

Estimated cost of the project or contract price: .....

Estimated dates of commencement and completion: .....

I hereby give my consent to allow all authorized persons the right to enter the above land and/or buildings, with respect to this application only.

Date of Application: ..... Signature of Applicant .....

Permit No. ..... FORM B

DEVELOPMENT PERMIT

Development involving .....
(as further described in Application No. .....) has been:

APPROVED

APPROVED, subject to the following conditions, (state reasons):

You are hereby authorized to proceed with the development specified provided that any stated conditions are complied with; that development is in accordance with any approved plans and applications; and, that a Building Permit is obtained if construction is involved. Should an appeal be made against this decision to the Development Appeal Board, the development permit shall be null and void.

Date of Decision ..... Date of Issue of Development Permit .....
Signature of Development Officer .....

NOTE:

1. The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until 15 days after the date the order, decision or development permit is issued.
2. The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within 14 days after notice of the decision is given.
3. A permit issued in accordance with the notice of decision is valid for a period of twelve months from the date of issue. If at the expiry of this period, the development has not been commenced or carried out with reasonable diligence, this permit shall be null and void.

Application No. ..... FORM C

NOTICE OF REFUSAL

You are hereby notified that your application for a development permit with regard to the following:

has been R E F U S E D for the following reasons:

You are further notified that you may appeal this decision to the Development Appeal Board in accordance with the provisions of Section 13 of this Bylaw. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Secretary of the Development Appeal Board not later than fourteen (14) days following the date of issue of this notice. The notice of appeal shall contain a statement of the grounds of appeal.

Date of Decision: .....

Date of Notice of Decision: .....

SIGNATURE OF DEVELOPMENT OFFICER

Application No: ..... FORM D

NOTICE OF DECISION OF THE DEVELOPMENT OFFICER

This is to notify you with respect to a decision of the Development Officer whereby a development permit has been issued authorizing the following development.

Address of property .....

Lot ..... Block ..... Registered Plan .....

or Certificate of Title .....

Date of Decision .....

The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Secretary of the Development Appeal Board within 14 days after notice of the decision is given.

FORM E

NOTICE OF APPEAL HEARING

This is to notify you that an appeal has been made to the DEVELOPMENT APPEAL BOARD against a decision in respect of Application No. ..... which involves development described as follows:

The decision APPROVED / APPROVED with CONDITIONS / REFUSED a development permit for the following reasons:

PLACE OF HEARING: .....

TIME OF HEARING: .....

DATE OF HEARING: .....

Any persons affected by the proposed development have the right to present a written brief prior to the hearing and to be present and be heard at the hearing. Persons requiring to be heard at the meeting shall submit the written briefs to the Secretary of the Development Appeal Board not later than .....

_____ _____

DATE

SIGNATURE of Secretary
Development Appeal Board

Application No.: ..... FORM F

NOTICE OF APPEAL DECISION

This is to notify you that an appeal against the APPROVAL / APPROVAL WITH CONDITIONS / REFUSAL of a development permit with regard to the following:

was considered by the DEVELOPMENT APPEAL BOARD ON ..... 19 ..... and the decision of the DEVELOPMENT APPEAL BOARD with regard to the appeal is as follows and for the following reasons:

DATE

SIGNATURE of Secretary
Development Appeal Board

NOTE:

A decision of the Development Appeal Board is final and binding on all parties and persons subject only to an appeal upon a question of jurisdiction or law pursuant to Section 146 of the Planning Act. An application for leave to appeal to the Appellate Division of the Supreme Court of Alberta shall be made

(a) to a judge of the Appellate Division, and

(b) within 30 days after the issue of the order, decision, permit or approval sought to be appealed.

FORM G

APPLICATION FOR AMENDMENT TO THE LAND USE BY-LAW

I/We hereby make application to amend the Land Use Bylaw.

Applicant: Name ..... Telephone: .....
Address .....
Owner of Land: Name ..... Telephone: .....
Address .....
Land Description: Lot ..... Block ..... Registered Plan .....
Certificate of Title .....

Amendment Proposed

FROM ..... TO .....

Reasons in support of Application for Amendment

I/We enclose $_____ being the application fee.

DATE _____ SIGNED _____

FORM H

STOP ORDER

UNAUTHORIZED DEVELOPMENT

OWNER AND/OR PERSON UNDERTAKING DEVELOPMENT: _____

NAME	ADDRESS	PHONE NUMBER
LOT	BLOCK NUMBER	PLAN NO.

You are hereby notified that it has been determined unauthorized development is taking place in that: **(Brief description of contravention)**

Pursuant to Section 81 of the Planning Act, 1980 and amendments thereto, the Development Officer of the Summer Village of Bondiss hereby issues this STOP ORDER notifying and requiring you to stop work immediately and report within _____ to the Development Officer during regular office hours to discuss a proper arrangement for the correction of the contravention.

Failure to comply with this Order forthwith may result in prosecution under Section 154 of the Planning Act, 1980.

This Order may be appealed by serving written notice of appeal with the Chairman of the Development Appeal Board within fourteen (14) days of the date of issuance.

_____
DATE

_____
DEVELOPMENT OFFICER
SUMMER VILLAGE OF BONDISS

_____
WITNESS